

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11
AID-05 TRSE-00 HA-05 /078 W
-----130927 021743Z /40

R 011320Z JUL 78
FM AMEMBASSY GEORGETOWN
TO SECSTATE WASHDC 7138
INFO AMEMBASSY BRIDGETOWN
AMEMBASSY KINGSTON
AMEMBASSY PARAMARIBO
AMEMBASSY PORT OF SPAIN

LIMITED OFFICIAL USE GEORGETOWN 2165

E.O. 11652: N/A
TAGS: PINT, GY
SUBJECT: LEGAL CHALLENGE TO REFERENDUM

REF: A. GEORGETOWN 1563, B. GEORGETOWN 2061

1. ARGUMENTS BEGAN YESTERDAY (JUNE 30) ON A MOTION FOR AN INTERLOCUTORY INJUNCTION TO BLOCK THE CONSTITUTIONAL REFERENDUM SCHEDULED FOR JULY 10 (REF B). THE HEARING OF THE ARGUMENTS ON THE MOTION WAS DELAYED BY THE COURT'S CONSIDERATION OF THREE PROCEDURAL MATTERS. THE COURT RULED AGAINST PLAINTIFF'S MOTION TO SHORTEN THE LENGTH OF TIME NORMALLY ALLOWED THE DEFENSE TO PREPARE ITS CASE, AND AWARDED COSTS IN RELATION TO THE MOTION TO THE DEFENDENTS. THE COURT ALSO RULED AGAINST AN APPLICATION BY THE PLAINTIFFS TO TRY AS A SPECIAL CASE ARGUMENTS ON ONE OF THE POINTS RAISED IN THE PLAINTIFF'S CASE AGAINST THE REFERENDUM.

2. IN A RELATED LEGAL MATTER, DR. MAKEPEACE RICHMOND, CHAIRMAN OF THE LIBERATOR PARTY, HAS FILED A WRIT AGAINST GOVERNMENT-
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OWNED NEWSPAPERS, CONTENDING THAT THEIR BAN ON PAID ADVERTISEMENTS CONCERNING THE REFERENDUM IS UNCONSTITUTIONAL. PRIME MINISTER BURNHAM ANNOUNCED THE BAN IN MAY, EXPLAINING THAT TO ALLOW PAID ADVERTISEMENTS WOULD FAVOR THE RICH (REF A). OPPONENTS OF THE REFERENDUM CONTEND THAT THE BAN GIVES AN UNFAIR ADVANTAGE TO THE GOVERNMENT, WHICH USES THE GOVERNMENT-OWNED PRESS AND RADIO TO PUBLI-

CIZE ARGUMENTS IN FAVOR OF THE REFERENDUM AND TO SUPPRESS
REPORTAGE OF OPPOSITION ACTIVITIES.

3. COMMENT: THE HIGH COST OF LEGAL FEES HAS BEEN USED
IN THE PAST TO ADD AN ECONOMIC PENALTY FOR INDIVIDUALS AND
GROUPS RASH ENOUGH TO CHALLENGE PRIME MINISTER BURNHAM
AND THE RULING PEOPLE'S NATIONAL CONGRESS PARTY THROUGH
THE LEGAL SYSTEM.
BURKE

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NNN

Message Attributes

Automatic Decaptioning: X
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Concepts: CONSTITUTIONAL REFERENDUM, COURTS
Control Number: n/a
Copy: SINGLE
Draft Date: 01 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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